

## Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00  
DODE-00 DOTE-00 EB-08 INR-07 NSAE-00 FAA-00 AF-10  
ARA-06 EA-07 NEA-10 OIC-02 L-03 /081 W  
-----190455Z 129725 /22

R 182158Z APR 77

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 8851

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E. O. 11652: N/A

TAGS: EAIR, ICAO, PORG

SUBJ: ICAO: SECOND REPORT OF US DEL/SPECIAL AIR TRANSPORT  
CONFERENCE, APRIL 14 AND 15

1. COMMITTEE A ELECTED MR. G. FONTEIJN (NETHERLANDS) AS ITS VICE-CHAIRMAN. COMMITTEE PROCEEDED TO CONSIDER AGENDA ITEM 4 - MACHINERY FOR ESTABLISHMENT OF INTERNATIONAL AIR TRANSPORT FARES AND RATES. BRIEF PRESENTATIONS WERE MADE OF FOLLOWING WORKING PAPERS: WP/31 (USSR), WP/7 (IATA), WP'S 11 AND 12 (ECAC), WP/14 (ITA) AND WP'S 20 AND 23 (WTO). SECRETARIAT THEN PRESENTED WP/19 AND FRP/1 - REPORT OF FIRST MEETING OF PANEL OF EXPERTS ON MACHINERY FOR ESTABLISHMENT OF INTERNATIONAL FARES AND RATES.

2. COMMITTEE DECIDED TO CONSIDER INDIVIDUAL RECOMMENDATIONS CONTAINED IN PANEL'S REPORT. AS PROPOSED BY KENYA, THE FOLLOWING SUPPLEMENTARY CLAUSE WAS ADDED TO RECOMMENDATION 1 BEFORE ACCEPTANCE BY COMMITTEE: "FURTHER RECOMMENDS THAT THE WORK DESCRIBED IN 1 A) ABOVE SHOULD SEEK TO DETERMINE THE MAIN CAUSES OF REGIONAL DIFFERENCES IN FARES AND COSTS AND, IF POSSIBLE, MEASURES THAT MIGHT BE TAKEN TO REDUCE SUCH DIFFERENCES." A LARGE NUMBER OF DELEGATES, INCLUDING U.S., SPOKE AGAINST PARTICIPATION OF GOVERNMENT REPRESENTATIVES IN IATA TRAFFIC-CONFERENCES, SO RECOMMENDATION 2 WAS NOT ACCEPTED BY COMMITTEE. RECOMMENDATIONS 3 AND 4 WERE APPROVED WITHOUT CHANGE. RECOMMENDATION 5 WAS AMENDED BY FRANCE TO READ:

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"IN THE INTERESTS OF BOTH THE USERS AND THE PROVIDERS OF AIR TRANSPORT SERVICES, ICAO SHOULD ENDEAVOR TO ENCOURAGE THE ESTABLISHMENT OF REGULAR DISCUSSIONS

BETWEEN SCHEDULED AND NON-SCHEDULED CARRIERS,  
WHETHER MEMBERS OF IATA OR NOT, FOR COORDINATING  
TARIFF POLICIES."

CONSIDERATION OF RECOMMENDATION 6 ON TARIFF ENFORCEMENT WAS  
POSTPONED. RECOMMENDATION 7 WAS AMENDED TO READ:

"UNILATERAL ACTION BY GOVERNMENTS WHICH MAY HAVE A  
NEGATIVE EFFECT ON THE CARRIERS' EFFORTS TOWARDS  
REACHING AGREEMENT ON FARES SHOULD BE AVOIDED AS  
FAR AS POSSIBLE."

RECOMMENDATION 8 WAS AMENDED BY BRAZIL TO READ:

"INFLUENCE SHOULD BE EXERTED BY ICAO TOWARDS A  
RADICAL SIMPLIFICATION OF THE FARE  
STRUCTURE AND TYPES BY IATA."

(THERE WAS NO SUPPORT FOR ICAO TELLING IATA HOW OFTEN IT  
SHOULD MEET ON FARES.)

3. AFTER VARIOUS PROPOSALS WERE MADE TO MODIFY RECOMMEN-  
DATION 9, IT WAS DECIDED THAT SECRETARIAT SHOULD  
PREPARE A REDRAFT IN LIGHT OF THE REMARKS. U.S.  
PROPOSED FOLLOWING NEW LANGUAGE FOR RECOMMENDATION  
10, WHICH SUPPORTED BY CANADA:

"ALL GOVERNMENTS SHOULD REQUIRE AT LEAST SIXTY DAYS  
NOTICE OF TARIFF CHANGES PROPOSED TO BE ESTABLISHED  
BY INTER-CARRIER AGREEMENTS. INDIVIDUAL CARRIER  
TARIFFS FILED OUTSIDE THE AGREEMENT FRAMEWORK SHOULD  
BE FILED CONSISTENT WITH THE CONSTRAINTS PRESCRIBED  
BY THE BILATERAL AGREEMENTS AND/OR CONSISTENT WITH  
THE LEGAL REQUIREMENTS OF THE STATES CONCERNED."  
THIS PROPOSAL WILL BE CONSIDERED APRIL 18 ALONG WITH A NEW  
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TEXT TO BE PREPARED BY SECRETARIAT COMBINING RECOMMEN-  
DATIONS 10 AND 11, AS SUGGESTED BY BRAZIL.

4. COMMITTEE B ELECTED MR. H. BAQAIN (JORDAN) AS ITS  
VICE-CHAIRMAN. COMMITTEE THEN BEGAN ITS CONSIDERATION  
OF AGENDA ITEM 2 - POLICY CONCERNING INTERNATIONAL NON-  
SCHEDULED AIR TRANSPORT. PAPERS WERE INTRODUCED BY  
FOLLOWING DELEGATIONS: BRAZIL (WP/2), SWITZERLAND (WP/15),  
NORWAY FOR ECAC (WP/9 AND WP/13), URUGUAY FOR LACAC (WP/27),  
IATA (WP/5), IACA (WP/25), AACC (WP/29), AND WTO(WP/20  
AND WP/21). GENERAL STATEMENTS AND COMMENTS ON PAPERS  
INTRODUCED WERE MADE BY NUMBER OF DELEGATIONS, BUT  
THUS FAR COMMITTEE HAS BEEN BOGGED DOWN IN PROCEDURAL  
PROBLEMS DUE TO WEAK CHAIRMAN.

5. SECRETARIAT PREPARED WORKING PAPER FOR CONSIDERA-  
TION OF COMMITTEE ON "QUESTIONS OF PRINCIPLE."  
U.S., CANADA AND OTHERS QUESTIONED ITS CONTENT, PARTICU-  
LARLY CONTENTION THAT PROBLEMS OF SCHEDULED

CARRIERS ARE DUE MAINLY TO NON-SCHEDULED CARRIERS.  
U.S. ALSO MADE POINT THAT COMPETITION BETWEEN SCHEDULED  
AND NON-SCHEDULED SERVICES IS NOT A PROBLEM BUT AN  
ESSENTIAL ELEMENT OF AN INTERNATIONAL AIR TRANSPORTA-  
TION SYSTEM. ON APRIL 18, COMMITTEE B WILL CONSIDER  
NEW LANGUAGE SUBMITTED BY (1) CANADA AND (2) BELGIUM,  
NORWAY AND POLAND.  
HARPER

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## Message Attributes

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**Disposition Date:** 22 May 2009  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009